

UNITED STATES DISTRICT COURT

DISTRICT OF DELAWARE

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Roger Keith, Co-Executor  
To the Estate of  
Ernest V. Keith,

Plaintiff

Vs.

Gregory A. Sioris, Esquire,

And

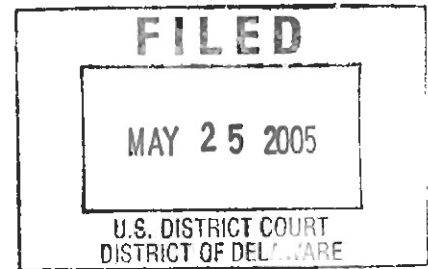
Henry A. Heiman, Esquire,

And

Heiman, Aber, Goldsmith & Baker,

Defendants.

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05 - 326

NOTICE OF REMOVAL

**TO THE UNITED STATES DISTRICT COURT OF THE DISTRICT OF DELAWARE:**

1. I, Gregory A. Sioris, of 350 Fifth Avenue, Suite 7606, New York, NY 10118-7606, have been named as a defendant in the above civil suit brought by complaint filed in the Superior Court of New Castle County, Delaware. The complaint has no date on it.

Pursuant to the provisions of §§1441 and 1446 of Title 28 of the United States Code, the undersigned defendant moves to remove this action to the United States District Court for the District of Delaware.

2. The grounds for removal are: On April 26, 2005 I received by mail a copy of a purported amended complaint and an answer at my office, which complaint appears to have been filed by the plaintiff in the Superior Court of New Castle County, Wilmington, under index number 05C-02-272-CLS. A copy of the complaint and answer that I receive is annexed as exhibit 1.

3. There is complete diversity of citizenship between the plaintiff and the undersigned defendant, because the plaintiff decedent's estate is domiciled in the State of Delaware. The co-executor Roger Keith, claims in the complaint that his address is care of his legal counsel in Pennsylvania.

4. I am a citizen and domiciliary of the State of New York, where I reside and do business as a lawyer.

5. The other defendants Henry A. Heiman, Esq., and Heiman, Aber, Goldlust & Baker are, upon information and belief, citizens of Delaware where Mr. Heiman maintains a law office in Wilmington, and where the law offices of Mr. Heiman's firm, Heiman, Aber, Goldlust & Baker were.

6. The Court would have original subject matter jurisdiction of this action against the undersigned defendant under the provision of 28 U.S.C. §1332, had the matter originally been filed in the federal court, since the complaint alleges that the amount in controversy exceeds \$75,000.00 exclusive of costs and interest.

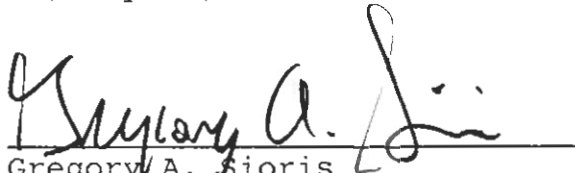
Removal is thus proper as regards the undersigned defendant under 28 U.S.C. §1441(a).

7. This Notice of Removal is timely under 28 U.S.C. §1446(b) because the plaintiff's amended complaint was received by me on April 26, 2005, and this Notice of Removal is filed within 30 days of the receipt of the plaintiff's complaint.

8. All state court papers served on the undersigned defendant at this time consist of the amended complaint and answer as attached as exhibit 1.

Based on the foregoing, the undersigned defendant seeks removal of the plaintiff's suit as concerns him.

I declare under penalty of perjury that the foregoing is true and correct. Dated New York, NY, May 23, 2005.

  
Gregory A. Sioris  
Defendant  
350 Fifth Avenue, Suite 7606  
New York, NY 10118-7606  
(212) 840-2644

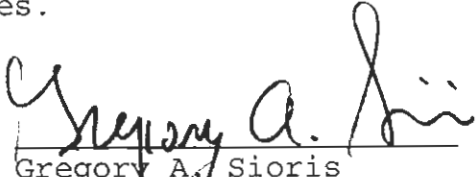
UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

-----X  
ROGER KEITH, Co- Executor of the :  
Estate of Ernest V. Keith, :  
 :  
Plaintiff, :  
v. :  
 :  
GREGORY A. SIORIS, ESQUIRE, :  
et. al., :  
 :  
Defendants. :  
-----X

**CERTIFICATE OF SERVICE**

I, Gregory A. Sioris, on May 23, 2005, forwarded a copy of the herein Notice of Removal and its exhibits to the following parties in the manner as described above their names.

Dated: New York, NY  
May 23, 2005

  
\_\_\_\_\_  
Gregory A. Sioris  
Defendant Pro Se  
350 Fifth Avenue, #7606  
New York, NY 10118-7606  
(212)840-2644

Via First Class Mail

Kevin William Gibson, Esq.  
Attorney for Plaintiff  
Gibson & Perkins, P.C.  
200 East State Street, Suite 105  
Media, PA 19063

Via First Class Mail

John A. Elzufon, Esq.  
Elzufon Austin et. al.  
Attorney for Defendants  
Heiman, et. al.  
300 Delaware Avenue, Suite 1700  
Wilmington, DE 19899-1630